

0010/PTO Rev. 6/95	U.S. Department of Commerce Patent and Trademark Office	Attorney Docket Number <b>20830-06581</b>	
<b>COMBINED DECLARATION (37 CFR 1.63) AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION</b>		First Named Inventor	<b>Steven W. Meeks</b>
		<i>COMPLETE IF KNOWN</i>	
		Application Number	<b>Not Yet Known</b>
		Filing Date	<b>December 21, 2001</b>
		Group Art Unit	<b>Not Yet Known</b>
		Examiner Name	<b>Not Yet Known</b>
<input checked="" type="checkbox"/> Declaration Submitted with Initial Filing                 OR <input type="checkbox"/> Declaration Submitted after Initial Filing			

As a below named inventor, I hereby declare that:  
 My residence, mailing address, and citizenship are as stated below next to my name.  
 I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**A MATERIAL INDEPENDENT OPTICAL PROFILOMETER**

the specification of which (Title of the Invention)  
☒ is attached hereto  
 OR  
☐ was filed on (MM/DD/YYYY) [ ] as United States Application Number or PCT International Application Number [ ] and was amended on (MM/DD/YYYY) [ ] (if applicable).  
 I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.  
 I acknowledge the duty to disclose information which is material to patentability as defined in Title 37 Code of Federal Regulations. § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code § 119 (a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365 (a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority sheet attached hereto:

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental sheet attached hereto.

DECLARATION				Page 2				
<p>I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.</p>								
U.S. Parent Application Number		PCT Parent Number		Parent Filing Date (MM/DD/YYYY)		Parent Patent Number (if applicable)		
09/861,280 09/818,199				May 18, 2001 March 26, 2001				
<input type="checkbox"/> Additional U.S. or PCT international application numbers are listed on a supplemental priority sheet attached hereto.								
<p>As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:</p>								
Name		Registration Number		Name		Registration Number		
Stuart P. Meyer Albert C. Smith John T. McNelis		33,426 20,355 37,186						
<input type="checkbox"/> Additional attorney(s) and/or agent(s) named on a supplemental sheet attached hereto.								
<p>Please direct all correspondence to:</p> <p style="text-align: center;"><b>John T. McNelis</b>  <b>Fenwick &amp; West LLP</b>  <b>Two Palo Alto Square</b>  <b>Palo Alto, CA 94306</b>  <b>U.S.A.</b></p>								
Telephone		(650) 858-7133			Fax		(650) 494-1417	
<p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p>								
<b>Name of Sole or First Inventor:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor						
Given Name	Steven	Middle Initial	W.	Family Name	Meeks	Suffix		
Inventor's Signature					Date			
Residence: City	Fremont	State	CA	Country	USA	Citizenship	USA	
Mailing Address	3130 Belmont Terrace							
Mailing Address								
City	Fremont	State	CA	Zip	94539	Country	USA	
<input type="checkbox"/> Additional inventors are being named on supplemental sheet(s) attached hereto								